

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 2/13/2014

Action Requested By:
Public Works

Agenda Item Type
Resolution

Subject Matter:

Modification No. 2 to Agreement with Johnson & Associates Consulting Engineers, L.L.C.

Exact Wording for the Agenda:

Resolution authorizing the Mayor to modify the agreement with Johnson & Associates Consulting Engineers, L.L.C. for Engineering Design & Construction Administration Services for Carmichael Park, Project No. 65-12-DM25, by Modification No. 2

12-554 & 13-317

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

This modification is for continued support services consisting of inspection report services for NPDES permitting and inspections at Carmichael Park for a total modification amount of \$13,180.00. New end date: June 15, 2014. Account No. 23-7300-0308-8205

Associated Cost: \$13,180.00

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Tommy B. B. B.

Date: 1/24/14

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: **Engineering**

Council Meeting Date: **2/13/2014**

Department Contact: **Terry Hatfield**

Phone # **256-883-3944**

Contract or Agreement: **Modification No. 2**

Document Name: **J&A-Carmichael Park-Project No. 65-12-DM25**

City Obligation Amount: **\$13,180.00**

Total Project Budget: **\$44,240.00**

Uncommitted Account Balance: **0**

Account Number: **23-7300-0308-8205**

Procurement Agreements

<u>Not Applicable</u>	<u>Not Applicable</u>
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Grant-Funded Agreements

<u>Not Applicable</u>	Grant Name:
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Department	Signature	Date
1) Originating	<i>Terry Hatfield</i>	<i>1/24/14</i>
2) Legal	<i>Mary Cades</i>	<i>1/24/14</i>
3) Finance	<i>[Signature]</i>	<i>1/29/14</i>
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 14-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and is hereby authorized, in Huntsville, Alabama, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to enter into Modification No. 2 to the Agreement with Johnson & Associates Consulting Engineers, L.L.C., adopted and approved on the 28th day of June, 2012, by the City Council of the City of Huntsville, Alabama by Resolution No. 12-554, and amended on the 25th day of April, 2013, by the City Council of the City of Huntsville, Alabama by Resolution No. 13-317, as attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be and hereby is modified from THIRTY-ONE THOUSAND SIXTY AND NO/100 DOLLARS (\$31,060.00) to FORTY-FOUR THOUSAND TWO HUNDRED FORTY AND NO/100 DOLLARS (\$44,240.00), including this Modification No. 2, an increase of THIRTEEN THOUSAND ONE HUNDRED EIGHTY AND NO/100 DOLLARS (\$13,180.00). New end date: June 15, 2014. Agreement is substantially in words and figures similar to that document attached hereto and identified as "Modification No. 2 to Agreement between City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C. for Engineering Design & Construction Administration Services for Carmichael Park, Project No. 65-12-DM25, as adopted by Resolution No. 12-554 of June 28, 2012, and amended by Resolution No. 13-317 of April 25, 2013" consisting of a total of three (3) pages plus four (4) additional pages consisting of Attachment "A", and the date of February 13, 2014, appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, and an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 13th day of February, 2014.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 13th day of February, 2014.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
COUNTY OF MADISON)

Modification No. 2 to Agreement between
the City of Huntsville and Johnson &
Associates Consulting Engineers, L.L.C. for
Engineering Design & Construction
Administration Services for Carmichael
Park, Project No. 65-12-DM25, as adopted
by Resolution No. 12-554 of June 28, 2012,
and amended by Resolution No. 13-317 of
April 25, 2013

THIS IS MODIFICATION NO. 2 TO AN AGREEMENT entered in on the 28th day of June, 2012, in the amount of TWENTY-THREE THOUSAND FIVE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$23,575.00), and amended on the 25th day of April, 2013, in the amount of SEVEN THOUSAND FOUR HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$7,485.00) for a revised contract amount of THIRTY-ONE THOUSAND SIXTY AND NO/100 DOLLARS (\$31,060.00). The original Agreement is hereby amended by Modification No. 2 dated February 13, 2014, in the amount of THIRTEEN THOUSAND ONE HUNDRED EIGHTY AND NO/100 DOLLARS (\$13,180.00), for a total revised contract amount of FORTY-FOUR THOUSAND TWO HUNDRED FORTY AND NO/100 DOLLARS (\$44,240.00), new contract end date: June 15, 2014, by and between the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation in the State of Alabama (OWNER) and JOHNSON & ASSOCIATES CONSULTING ENGINEERS, L.L.C., (ENGINEER).

WITNESSETH

WHEREAS, the firm identified as the ENGINEER to the Agreement dated June 28, 2012, has proposed a change, identified as Attachment "A" to the Original Agreement. This modification delineates a change to provide continued support services consisting of inspection report services for NPDES permitting and inspections at Carmichael Park.

WHEREAS, the OWNER desires that the contract drawings be altered to be consistent with Attachment "A" hereto.

President of the City Council of the City of
Huntsville, AL

Date: February 13, 2014

NOW THEREFORE, in consideration of the mutual covenants set forth herein, the OWNER and the ENGINEER agree to the following modifications to the agreement:

1. Johnson & Associates Consulting Engineers, L.L.C., will provide for continued support services at a time and materials cost not to exceed THIRTEEN THOUSAND ONE HUNDRED EIGHTY AND NO/100 DOLLARS (\$13,180.00).
2. Item #1 shall be performed in accordance with the original agreement dated June 28, 2012, and approved by the City Council by Resolution No. 12-554, and as described in the letter from Nathan Johnson to Terry Hatfield, dated January 2, 2014, shown as Attachment "A".
3. The terms of this contract modification and the execution thereof is not in any way to be viewed as a waiver on the part of the Owner of any of its rights pursuant to the Contract.
4. All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have entered their hands and seals and attest to the same with the signature of the Mayor being the official act of the said municipality in accordance with his duly constituted authority.

THE CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Tommy Battle
Its Mayor

ATTEST:

Charles E. Hagood
City Clerk-Treasurer

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City

Clerk-Treasurer of the City of Huntsville, a municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, in their capacity as such officers, executed the same with full authority for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the _____ day of _____, 2014.

Notary Public

My Commission Expires: _____

ENGINEER: JOHNSON & ASSOCIATES
CONSULTING ENGINEERS, L.L.C.

By: _____

Nathan D Johnson

ATTEST:

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STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Nathan Johnson, as President, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer, executed the same with full authority for and as the act of said Corporation on the day the same bears day.

GIVEN under my hand and official seal this the 30th day of January, 2014.

Mary C Hallingsworth
Notary Public

My Commission Expires: 3/28/15

ATTACHMENT "A"



January 2, 2014

Mr. Terry Hatfield
Public Works Services Department
City of Huntsville
Huntsville, AL 35804-0308

RE: Proposal for Civil Engineering Services Update: Topographic Survey, Civil Grading Plan Evaluation, and Additional Construction Observation for Carmichael Park

Dear Mr. Hatfield:

Johnson & Associates Consulting Engineers, LLC (hereinafter referred to as Consultant) is pleased to provide additional Engineering and Inspection support services for the above referenced project ('project').

Scope of Services

The project scope includes the following specific work tasks:

1. **NPDES Permit & Periodic Inspections** – Continuation of the management of General Permit Number ALR109647 (NPDES permit).

Johnson & Associates will continue to conduct Site Inspections throughout the construction duration to ensure compliance with the CBMPP and the approved Erosion and Sediment Control Plan. The inspections will be performed monthly and after each rainfall event of 0.75 inches or greater in any 24-hour period. These site inspections and follow-up reports will be conducted by our Qualified Credentialed Professional (QCP). Our efforts will be coordinated with the Public Works office and other City departments as needed. Upon completion of the site filling operation, all necessary actions will be provided to terminate the permit.

All work for the NPDES Permit and Inspection services will be billed hourly under the existing contract currently budgeted.

2. **Update Topographic Survey** - We will perform the following work tasks for the parcel consisting of approximately 13.9 acres and located on Carmichael Avenue, NW, Huntsville, AL.

- The limits of the topography will include adequate shots to define all progress since the original survey.
- The topographic survey data will be processed such that an updated drawing can be produced.
- We will show a 1-foot contour interval plus spot elevations, inverts and sizes of pipes, and establish horizontal and vertical control tied to State Plane Coordinates and a NAVD'88 benchmark.
- Provide survey staking support as needed during fill operations.

All work for the surveying services will be billed hourly not to exceed an estimated **fee of \$2,160** (billed on a monthly basis as work is performed).

3. **Evaluate/Revise the Civil Grading Plan** - Utilizing the topographic survey of the site prepared by our firm, we will perform the following work tasks:

- Analyze the existing topography and compare with previous topography to evaluate how closely previous fill operations compare with design finish grades.
- Calculate available remaining fill space based on the volume calculated between the topographic survey and the final grading plan.
- Prepare a revised grading plan if deemed necessary by appropriate COH Departments.

All work for the Civil Grading Plan will be billed hourly not to exceed an estimated *fee of \$4,720* and billed on a monthly basis as work is performed. See the attached Project Estimating Form for a detailed breakdown of the Scope of Services.

4. **Construction Observations** -

- Provide periodic observations during the fill out of the site during the projected period between approximately 2/15/14 and 6/15/14 at a level of approximately two to three visits per week.
- Prepare and submit observation reports outlining progress and action recommendations as appropriate.

All work for Construction Observations will be billed hourly not to exceed an estimated *fee of \$6,300* and billed on a monthly basis as work is performed. See the attached Project Estimating Form for a detailed breakdown of the Scope of Services.

5. **Summary of Additional Services Cost Estimate**

The additional services outlined in Items 2 through 4 above will be performed on an hourly basis according to the attached Standard Schedule of Fees, with a total Not-to-Exceed Budget Estimate of $\$2160 + \$4720 + \$6300 = \$13,180$.

GENERAL REQUIREMENTS:

1. The Scope does not include payment of any permit fees required to regulatory agencies.
2. The terms of this agreement will remain in effect for one year from authorization to proceed.
3. The proposed fee is based on our understanding of the project requirements and the project duration of approximately four months. Any change to the project scope or duration will be considered Extra Services and may result in adjustments to the fee proposal. Any Extra Services will be reimbursed in accordance with the Consultant's Standard Schedule of Fees as attached.

Thank you for this opportunity to provide services for the City of Huntsville. Please contact me if you have any questions or comments.

Sincerely,
Johnson & Associates Consulting Engineers, LLC



Nathan G. Johnson, P.E., P.L.S.
President

Johnson & Associates

PROJECT ESTIMATING FORM

Project: Carmichael Park Field Survey, Civil Grading Plan, and Construction Observations DATE: 01/02/14
Client: City of Huntsville Public Works PREPARED BY: NGJ

PHASE/TASK	Principal PE/LS \$145	Sr. Project Engineer \$115	Sr. Insp QCP \$105	Project Engr. \$85	CAD Tech \$60	Survey Manager \$125	Survey 2-MAN \$135	Survey 3-MAN \$175	Total Hours	Labor Cost	Direct Expense	TOTAL FEE
NPDES Permit & Periodic Inspections												\$0
Preparation of NPDES Permit and CBMPP									0	\$0		\$0
Periodic Inspection by Qualified Credentialed Professiona (QCP) (Currently Budgeted)									0	\$0		\$0
Project Closeout Documentation (Currently Budgeted)									0	\$0		\$0
									0	\$0		\$0
									0	\$0		\$0
Field Surveys												\$2,160
Prepare topo and boundary survey of 13 Acre tract							16		16	\$2,160		\$2,160
Follow Up Survey Support									0	\$0		\$0
Civil Grading Plan & Approvals												\$11,020
Meetings with Public Works for Grading Scope Definition									0	\$0		\$0
Civil Design of the Grading Plan & Earthwork Quantities	16				40				56	\$4,720		\$4,720
Erosion & Sediment Control Plan									0	\$0		\$0
Final Meetings with Client, reviews, revisions									0	\$0		\$0
									0	\$0		\$0
Construction Observations			60						60	\$6,300		\$6,300
									0	\$0		\$0
									0	\$0		\$0
									0	\$0		\$0
									0	\$0		\$0
Total Hour	16	0	60	0	40	0	16	0	132			
Total Cost	\$2,320	\$0	\$6,300	\$0	\$2,400	\$0	\$2,160	\$0		\$13,180	\$0	\$13,180

The topographic survey will utilize the city's latest 2-ft contour maps as part of the base map, with supplemental field locations to include recent construction activity at the site.
All fees for permit applications, plan reviews, etc. will be paid by the Client.
This Proposal is limited to services for a period of 12 months starting from the Notice to Proceed date of the contract agreement. Additional services may be needed after this contract expires.

STANDARD SCHEDULE OF HOURLY FEES

Johnson and Associates

Effective: Oct. 1, 2013 to Sept. 30 2014

PERSONNEL DESCRIPTION		HOURLY AMOUNT (\$ Range)
Surveying & Engineering:		
Surveyor I	Survey Technician (Rodman)	\$50
Surveyor II	Survey Technician (Instrumentman)	\$60
Surveyor III	Junior Party Chief	\$70
Surveyor IV	Survey CAD Technician	\$85
Surveyor V	Senior Party Chief	\$85
Surveyor VI	Survey Manager	\$125
Surveyor VII	Principal Surveyor	\$145

Engineer I	Engineering Student/Part-Time Intern	\$55
Engineer II	Entry-Level Engineering Intern	\$65
Engineer III	Design Engineering Intern	\$75
Engineer IV	Project Design Engineer	\$85
Engineer V	Project Design Engineer	\$105
Engineer VI	Senior Project Engineer	\$115
Engineer VII	Senior Managing Engineer/Project Manager	\$130
Engineer VIII	Principal Engineer	\$145

Technical & Inspection:		
Technician I	Entry-Level CAD Technician Intern	\$50
Technician II	Junior Engineering CAD Technician	\$60
Technician III	Engineering CAD Technician	\$70
Technician IV	Engineering CAD Technician	\$75
Technician V	Senior Engineering CAD Technician	\$80

Inspector I	Technician	\$75
Inspector II	Engineer Intern	\$95
Inspector III	Engineer	\$105
Inspector IV	Senior Engineer/Project Manager	\$115

Administrative / Secretarial	\$50
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Survey Crew:	
Two-Man Survey Crew	\$135
Three-Man Survey Crew	\$175
Four-Man Survey Crew	\$215

Subcontract Services	Cost Plus 5%
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Direct Expenses	Cost Plus 5%
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These rates will remain in effect through the duration of the contract